



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s):	Osborne, et al.	Examiner: Karin M. Reichle
Application No.:	10/737,313	Art Unit: 3761
Filing Date:	December 16, 2003	Attorney Docket No: 8627-454
Title:	HEMOSTASIS CANNULA	

MS Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**TERMINAL DISCLAIMER**

The owner, Cook, Inc. of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term of prior Patent No. 6,663,599, issued December 16, 2003, as the term of said prior patent is defined in 35 U.S.C. 154 and 173, and as the term of said prior patent is presently shortened by any terminal disclaimer. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of the term of any patent granted on the instant application that


- 1 -

BRINKS  
HOFER  
GILSON  
& LIONE

BRINKS HOFER GILSON & LIONE  
PO Box 10395  
Chicago, IL 60611-5599

would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 and 173 of the prior patent, as the term of said prior patent is presently shortened by any terminal disclaimer, in the event that said prior patent: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.



---

John M. Card (Reg. No. 48,423)  
Attorney of Record  
(734) 302-6000

BRINKS HOFER GILSON & LIONE  
P.O. Box 10395  
Chicago, IL 60610  
(734) 302-6000



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant(s):	Osborne, et al.	Examiner: Karin M. Reichle
Application No.:	10/737,313	Art Unit: 3761
Filing Date:	December 16, 2003	Attorney Docket No: 8627-454
Title:	HEMOSTASIS CANNULA	

---

MS Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**TERMINAL DISCLAIMER**

The owner, Cook, Inc., of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term of any patent granted on pending Application Number 11/055,211, filed on February 10, 2005, as such term is defined in 35 U.S.C. 154 and 173, and as the term of any patent granted on said application may be shortened by any terminal disclaimer filed prior to the grant of any patent on the second application. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and any patent granted on the second application are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the

expiration date of the full statutory term as defined in 35 U.S.C. 154 and 173 of any patent granted on the second application, as the term of any patent granted on said second application may be shortened by any terminal disclaimer filed prior to the patent grant of any patent on the pending second application, in the event that any such patent, granted on the pending second application: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as shortened by any terminal disclaimer filed prior to its grant.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

  
\_\_\_\_\_  
John M. Card (Reg. No. 48,423)  
Attorney of Record  
(734) 302-6000

BRINKS HOFER GILSON & LIONE  
P.O. Box 10395  
Chicago, IL 60610  
(734) 302-6000



BRINKS HOFER GILSON & LIONE  
PO Box 10395  
Chicago, IL 60610